

REMARKS

Claims 25, 26, 27, and 29 remain in the referenced application. Claims 25, 27, and 29 have been amended, and claim 28 has been canceled.

Claim 25 stands objected to because “step” in line 2 should be --steps--. Responsive thereto, Applicant has amended claim 25 by deleting the phrase “the step of”.

Claim 28 stands objected to as failing to further limit the method steps of claim 27. Applicant respectfully submits the objection to claim 28 is now moot in view of its cancellation.

Claims 26 and 27 stand rejected under 35 U.S.C. §102(b) by Chase, Jr. (U.S. Patent No. 5,670,569 – hereinafter referred to as Chase).

Responsive thereto, Applicant has amended claim 27 to recite providing electric powered vehicles with each electric powered vehicle comprising a chassis defining a battery module compartment, and a battery module insertable into the battery module compartment of the chassis, whereby the battery module completes the chassis upon insertion into the battery module compartment thereby providing the chassis with required structural integrity necessary to support the electric powered vehicle during travel. Claim 27 has further been amended to recite that removing the depleted battery module from the electric powered vehicle removes a portion of the chassis for the electric powered vehicle and that inserting a fully charged battery module into the electric powered vehicle completes the chassis of the electric powered vehicle and provides the chassis with required structural integrity necessary to support the electric powered vehicle during travel. Applicant respectfully submits claim 27 as amended is not anticipated by Chase because Chase does not disclose a battery module that completes a chassis upon insertion therein to provide the chassis with required structural integrity necessary to support the electric powered vehicle during travel.

The electric vehicle 1 as recited in claim 27 has been implemented to solve vehicle weight problems currently experienced in existing electric vehicles. The electric vehicle 1 includes a chassis 5 or 50 consisting of a chassis front 6 and a chassis rear 7. In the chassis 5, the chassis front 6 and the chassis rear 7 connect to the body of the electric vehicle 1 and are only connected together by a single support member 8. In the chassis 50, the chassis front 6 and the chassis rear 7 are unitary pieces completely unconnected that are formed integrally with the body of the electric vehicle 1 to provide a unibody construction. The chassis 5 or 50 in either configuration define a battery module compartment 25. In defining the battery module compartment 25, the chassis 5 or 50 lack structure typically included in a chassis. As such, the chassis 5 or 50 lack the structural integrity necessary for an electric vehicle. The battery module compartment 25 accordingly receives a battery module 3 therein that integrates with the chassis 5 or 50 to provide the additional structural integrity required by the chassis 5 or 50 of the electric vehicle 1. The battery module 3 therefore completes the chassis 5 or 50, thereby providing the chassis 5 or 50 with the required structural integrity, while reducing the overall weight of the electric vehicle 1.

In contrast, Chase discloses a hollow parallelepiped-shaped plastic lined compartment 22 formed at the rear of a vehicle 12 in what would be the trunk space for a conventional gas powered vehicle. The compartment 22 is fully formed, self-contained, and not in any way coupled or associated with the chassis of the vehicle 12. The compartment 22 merely furnishes an enclosure that receives a battery tray 32 therein. Consequently, it is not possible for the battery tray 32 to complete the chassis of the vehicle 12 with required structural integrity because the compartment 22 is not in any way coupled or associated with the chassis for the vehicle 12. Applicant therefore respectfully submits that claim 27 as amended and claim 26 are patentable

over Chase because Chase does not disclose a battery module that completes a chassis upon insertion therein to provide the chassis with required structural integrity necessary to support the electric powered vehicle during travel.

Claims 25, 28, and 29 stand rejected under 35 U.S.C. §103(a) by Chase, Jr. (U.S. Patent No. 5,670,569 – hereinafter referred to as Chase) in view of Guimarin et al. (U.S. Patent No. 5,612,606 – hereinafter referred to as Guimarin). Claim 28 has been canceled thereby rendering the rejection of that claim moot. Claims 25 and 29 are considered patentable based on their dependence from claim 27 as amended.

Applicant respectfully submits the combination of Chase in view of Guimarin does not disclose a battery module that completes a chassis upon insertion therein to provide the chassis with required structural integrity necessary to support the electric powered vehicle during travel. In particular, Guimarin discloses a platform housing bay 31 defined within a central region of a vehicle frame on the underside of the vehicle. The platform housing bay 31 is fully formed, self-contained, and located within the vehicle frame. The platform housing bay 31 is thus not a part of the vehicle frame and merely furnishes an enclosure that receives a battery platform 12 therein. Consequently, it is not possible for the battery platform 12 to complete the vehicle frame with required structural integrity because the platform housing bay 31 is located within the vehicle frame and does not in any way form a part of the vehicle frame. Applicant therefore respectfully submits that claim 27 as amended and claims 25 and 29 are patentable over Chase in view of Guimarin because neither Chase nor Guimarin discloses a battery module that completes a chassis upon insertion therein to provide the chassis with required structural integrity necessary to support the electric powered vehicle during travel.

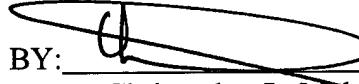
The prior art made of record in the referenced application has been reviewed by Applicant and is deemed not to anticipate nor in any combination render the claimed invention obvious.

In view of the foregoing, Applicant respectfully requests reconsideration of the rejected claims and further earnestly solicits early allowance of the application.

Respectfully submitted,

LAW OFFICES OF CHRISTOPHER L. MAKAY
1634 Milam Building
115 East Travis Street
San Antonio, Texas 78205
(210) 472-3535

DATE: 16 August 2004

BY: 

Christopher L. Makay
Reg. No. 34,475

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EV 433365217 US

Date: 16 August 2004


Christopher L. Makay